

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

TotalEnergies Gas & Power North America, Inc.,  
*et al.*,

Plaintiffs,

*v.*

Federal Energy Regulatory Commission, *et al.*,

Defendants.

No. 4:22-cv-4318

Judge Drew B. Tipton

**JOINT STATUS REPORT**

Pursuant to this Court’s order of July 15, 2024 (“Order”), the Parties have conferred and provide this joint status report:

On June 27, 2024, the Supreme Court issued a merits decision in *Securities and Exchange Commission v. Jarkesy*, No. 22-859 (“*Jarkesy*”).

Defendants hereby request that this Court continue the above-captioned case for an additional 60 days, and direct the parties to file a further status report at the conclusion of that time. Defendants seek this additional time to allow Defendant the Federal Energy Regulatory Commission (“Commission”) additional time to consider the potential implications of *Jarkesy* with respect to currently pending and future agency actions and assess that decision’s impact on the scope of the administrative proceedings at issue in this case. On the understanding that this Court’s existing 5 U.S.C. § 705 stay of agency proceedings would remain in place during this period, Plaintiffs do not oppose Defendants’ request.

The parties have further agreed that they will confer again no later than 45 days after the date of this status report, for Defendants to provide Plaintiffs with an update on the Commission's position regarding *Jarkesy*. At the conclusion of the proposed 60-day continuance period, Plaintiffs reserve the right to request that the Court proceed to rule on the pending motion for a preliminary injunction.

Dated: July 22, 2024

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### **CERTIFICATE OF SERVICE**

I hereby certify that on July 22, 2024, I caused the foregoing document to be filed with the Clerk of the U.S. District Court for the Southern District of Texas via the Court's CM/ECF system, which will send notification of such filing to all counsel and parties of record registered to receive such notices.

Dated: July 22, 2024

Respectfully submitted,

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